

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK MANN,

Plaintiff,

Case No. 15-cv-12869
Hon. Matthew F. Leitman

v.

SCHLOTTMAN *et al.*,

Defendants.

**OPINION AND ORDER GRANTING PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO CORRECT THE DEFICIENCY (ECF #6)**

Plaintiff Jack Mann ("Plaintiff") is an inmate currently confined at the Allenwood Federal Correctional Institution in White Deer, Pennsylvania. On August 18, 2015, Magistrate Judge R. Steven Whalen signed an order of deficiency, which required Plaintiff to provide (1) a prisoner's application to proceed without prepayment of fees and costs and authorization to withdraw from trust fund account, (2) a signed certification of his prison trust account from an authorized jail official, and (3) a current computerized trust fund account showing the history of the financial transactions in plaintiff's institutional trust fund account for the past six months. (*See* ECF #3.) Alternatively, this order allowed Plaintiff

to pay the four hundred (\$ 400.00) dollar filing fee in full. (*See id.*) Plaintiff was given thirty days to comply with the order. (*See id.*)

On September 8, 2015, Plaintiff filed a motion for an extension of time to obtain the documentation necessary to correct the deficiency. (*See* ECF #6.) On September 14, 2015, plaintiff filed an Application to Proceed in District Court Without Prepayment of Fees or Costs along with a computerized trust fund account. (*See* ECF #5.) Plaintiff, however, failed to provide this Court with a written authorization to withdraw funds from his jail trust fund account. Plaintiff's application to proceed without prepayment of fees or costs is deficient and subject to dismissal because it lacks the requisite authorization form. *See Lindsey v. Roman*, 408 Fed. App'x 530, 533 (3rd Cir. 2010). Plaintiff has also failed to provide the Court with a signed certification regarding trust fund account. An uncertified trust fund account statement, or one that lacks a signature, is insufficient to satisfy the filing requirements for permitting a prisoner to proceed *in forma pauperis* under § 1915(a)(2), and it does not cure the deficiency in this case. *See Hart v. Jaukins*, 99 Fed. App'x 208, 209-10 (10th Cir. 2004).

The Court, however, believes that Plaintiff is entitled to a limited extension of time to cure these deficiencies. Accordingly, the Court grants Plaintiff an additional thirty days from date of this Order to file the necessary documentation to

correct his deficiency. Plaintiff shall file this documentation so that the Court receives it by no later than **October 15, 2015**. Failure to file the documentation by this date will result in the dismissal of this action.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: September 15, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 15, 2015, by electronic means and/or ordinary mail.

s/Teresa McGovern
in the Absence of Holly A. Monda
Case Manager
(313) 234-5113